

FILED IN OPEN COURT
ON 10/24/2016
Julie Richards Johnston, Clerk
US District Court
Eastern District of NC

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO. 4:16-CR-00008-1BO

UNITED STATES OF AMERICA :
 :
v. :
 :
ANTONIO BARNES SIMMONS :

ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of a Memorandum of Plea Agreement entered into by the defendant on August 4, 2016, and further evidence of record and as presented by the Government, the Court finds that the following property is hereby forfeitable pursuant to 18 U.S.C. § 924(d)(1), made applicable to this proceeding by virtue of 28 U.S.C. § 2461(c), as a firearm used in knowing violations of 18 U.S.C. §§ 922(g)(1) and 924, to wit, a New England Firearms Company, .22 caliber revolver, serial number NC009273, and any and all accompanying ammunition;

AND WHEREAS, by virtue of said Memorandum of Plea Agreement, the United States is now entitled to possession of said personal property, pursuant to Fed. R. Crim. P. 32.2(b)(3);

It is hereby ORDERED, ADJUDGED and DECREED:


1. That based upon the Memorandum of Plea Agreement as to the defendant ANTONIO BARNES SIMMONS, the United States is

hereby authorized to seize the above-stated personal property, and it is hereby forfeited to the United States for disposition in accordance with the law, including destruction, as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED. This 24 day of October 2016.


TERRENCE W. BOYLE
United States District Judge